

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED MIDWEST SAVINGS BANK,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:21-cv-01403-AGF
	)	
MCGRAW W. MILHAVEN,	)	
	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff United Midwest Savings Bank's supplemental memorandum and brief in support of damages (ECF No. 43), filed pursuant to the Court's January 24, 2023 Memorandum and Order (ECF No. 42) granting Plaintiff's unopposed motion for summary judgment in part, as to liability and requiring—at Defendant's request—supplemental briefing and proof regarding Plaintiff's request for damages, interest, and/or attorneys' fees and costs. Plaintiff has now provided thorough documentation in support of its request for \$91,828.57 in principal, \$15,034.67 of interest accrued through February 6, 2023, \$340 in out-of-pocket costs, and \$41,185.20 in attorneys' fees, expenses and costs, for a total of \$148,388.44.

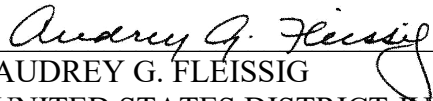
The Court gave Defendant time to respond to Plaintiff's memorandum, but Defendant failed to respond, and the time to do so has passed. Nor has Defendant contested that the amounts sought are recoverable under the parties' contract and governing law and are reasonable. The Court concludes that the amounts sought are sufficiently supported by the evidence, are recoverable under governing law, and are reasonable. *See, e.g., Weitz Co. v. MH*

*Washington*, 631 F.3d 510, 528 (8th Cir. 2011) (discussing standards for recovering attorneys' fees under Missouri law when permitted by contract); *see also* Fed. R. Civ. P. 54; 28 U.S.C. § 1920 (both discussing taxable costs to which prevailing party is entitled).

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's unopposed memorandum and brief in support of damages is **GRANTED** in the requested amount of \$148,388.44.

All claims against all parties having been resolved, a separate Judgment shall accompany this Memorandum and Order.

  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of February, 2023.